

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

2011 MAR - 1 PM 3:01

DEPUTY CLERK

ARCADE JOSEPH COMEAUX, JR.,

Petitioner,

v.

2:10-CV-289

RICK THALER,
Director, Texas Dep't of Criminal Justice,
Correctional Institutions Division,

Respondent.

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary case. On February 10, 2011, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the petition for a writ of habeas corpus be dismissed as petitioner is ineligible for mandatory supervised release and, thus, does not have a constitutionally protected liberty interest in his accrued good time. On February 25, 2011, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DISMISSED.

IT IS SO ORDERED.

ENTERED this 15th day of March 2011.



MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE